

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - SW/S Winters Lane, 493' NW of Edmondson Avenue (121 Winters Lane) 1st Election District 1st Councilmanic District

R. William Connolly, Jr. Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-462-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the non-conforming use of the subject property as two apartments and variances to permit a lot width of 43 feet at the front building line in lieu of the minimum required 80 feet, interior side yard setbacks of 10 feet and 12.5 feet in lieu of the minimum required 15 feet, and the sum of the interior setbacks of 22.5 feet in lieu of the minimum required 35 feet for the subject dwelling, in accordance with Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by William M. Hesson, Jr., Esquire. Also appearing on behalf of the Petitions were Diane Oliver, Tenant, and Franklin Terrell, adjoining property owner. There were no Protestants.

Testimony indicated that the subject property, known as 121 Winters Lane, consists of .261 acres more or less zoned D.R. 5.5 and is improved with a two story frame duplex dwelling which has been owned by Petitioner since approximately 1974. As a result of a complaint filed with the Zoning Office, Petitioner was advised to file the instant Petition for Special Hearing to establish a non-conforming use of the subject dwelling which contains two apartments. Mr. Connolly testified that since his purchase of the property, the dwelling has been used continuously and without interruption as two apartments. He testified that at the time of

his purchase, he was advised by the previous owner that the dwelling had been used continuously and without interruption as two apartments for approximately 25 to 30 years previous. Mr. Connolly testified that access to the first floor apartment is through a side entrance while access to the second floor apartment is through the front door. He testified that according to Baltimore Gas and Electric Company records the property has had separate utility meters since 1958. Mr. Connolly testified that he had been unable to recontact the previous owner regarding the instant matter, but had spoken with Mr. Terrell, the adjoining property owner, who originally contacted the Zoning Office with an alleged violation complaint.

Mr. Terrell testified that he has resided in the area since his birth in 1912, originally being a resident at 126 Winters Lane across from the subject site. Thereafter, he moved to 119 Winters Lane during his grade school years and has lived there off and on through the years. He indicated that the longest time he was away from the area was during his years of service between 1944 and 1947. Mr. Terrell testified that he distinctly remembers the property being a two apartment dwelling upon his return from the service, if not earlier. He indicated that to the best of his knowledge, the property has been used continuously and without interruption as a two apartment dwelling. When questioned as to the reasons for him contacting the Zoning Office regarding the instant matter, Mr. Terrell indicated that it was not so much Petitioner's use of the property as two apartments, but the poor manner in which the property is kept, specifically, the trash and debris existing on the outside of the property. He indicated that his concerns had since been addressed by Mr. Connolly.

Petitioner seeks relief pursuant to Sections 104.1 and 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.).

The burden of proving a nonconforming use is on the claimant of the use. Calhoun v. Board of Appeals of Baltimore County, 277 A2d. 589 (1971).

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning. In this instance, it is unclear as to whether or not the two apartment use existed prior to 1945; however, the undisputed testimony indicates the use commenced as of 1947. The zoning of the property at that time was "A" Residence which permitted a two apartment dwelling as of right. The uncontested testimony indicates that the use of the subject property as a two apartment dwelling was proper when first established.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property or any abandonment or discontinuance of such nonconforming use for a period of one year or more. In the event of abandonment or discontinuance for one year or more, the nonconforming use is deemed to have been lost.

After due consideration of the testimony and evidence presented, the undisputed evidence supports that the use of the property as two apartments has been continuous and without interruption. Therefore, the relief requested in the special hearing should be granted.

In light of the testimony presented regarding the Petition for Special Hearing, Petitioner elected to dismiss without prejudice the Petition for Zoning Variance.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons given above, the relief requested in the Petition for Special Hearing shall be granted and the Petition for Zoning Variance dismissed without prejudice.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of June, 1990 that the Petition for Special Hearing to approve the non-conforming use of the subject property as two apartments, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit a lot width of 43 feet at the front building line in lieu of the minimum required 80 feet, interior side yard setbacks of 10 feet and 12.5 feet in lieu of the minimum required 15 feet, and the sum of the interior setbacks of 22.5 feet in lieu of the minimum required 35 feet for the subject dwelling, be and is hereby DISMISSED without prejudice.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date 6/1/90
By SSS

ORDER RECEIVED FOR FILING
Date 6/1/90
By SSS

ORDER RECEIVED FOR FILING
Date 6/1/90
By SSS

ORDER RECEIVED FOR FILING
Date 6/1/90
By SSS

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY 90-462-SPHA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the recognition and existence of a non-conforming use as two apartments for the property known as 121 Winters Lane, Baltimore County, Maryland (see violation Case Number C-90-1199)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
R. William Connolly, Jr.
(Type or Print Name)
Signature
(Type or Print Name)
Signature

Attorney for Petitioner:
William M. Hesson, Jr.
(Type or Print Name)
Signature
Address
City and State

2122 Pine Avenue
Baltimore, Maryland 21207
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 18 day of April, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30 day of May, 1990, at 2 o'clock P.M.

J. Robert Hines
Zoning Commissioner of Baltimore County

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-462-SPHA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402.2 to allow (1) a lot width of 43 feet at the front building line in lieu of the minimum required 80 feet for a duplex, and (2) 10 foot and 12.5 foot interior side yard set backs in lieu of the minimum required 15 feet, and (3) the sum of interior set backs of 22.5 feet in lieu of the minimum required thirty feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

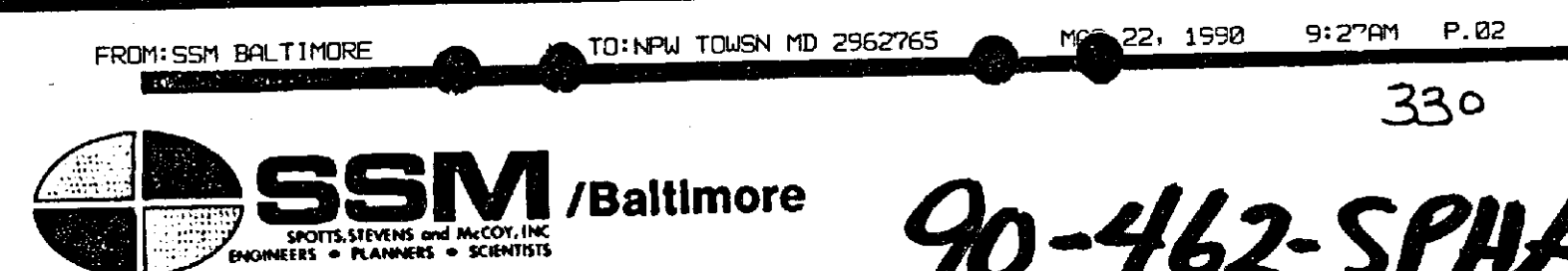
Legal Owner(s):
R. William Connolly, Jr.
(Type or Print Name)
Signature
(Type or Print Name)
Signature

Attorney for Petitioner:
William M. Hesson, Jr.
(Type or Print Name)
Signature
Address
City and State

2122 Pine Avenue
Baltimore, Maryland 21207
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 18 day of April, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30 day of May, 1990, at 2 o'clock P.M.

J. Robert Hines
Zoning Commissioner of Baltimore County



ZONING DESCRIPTION 121 WINTERS LANE BALTIMORE COUNTY, MARYLAND

BEGINNING at a point on the southwest side of Winters Lane, (40' wide right of way) at the distance of 493 feet more or less northwesterly from Edmondson Avenue (60' wide right of way).

Thence the following courses and distances:

1. North 31 1/2 deg. West 42.9 feet
2. South 59 deg. West 252.45 feet
3. South 31 1/2 deg. East 42.9 feet
4. North 59 deg. East 252.45 feet to the place of beginning as recorded in the deed Liber 5752, folio 702



Robert P. Grim
ROBERT P. GRIM
REGISTERED PROPERTY LINE SURVEYOR
REGISTRATION NO. 354

555 Fairmount Avenue Suite 230 Baltimore MD 21204-5497 (301) 494-0500 Fax (301) 296-3580
RPG/GENERAL/WINTERS Other offices in Lehigh Valley, Reading and Trenton.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland 90-462-SPHA

District Lat Date of Posting 5-4-90
Posted for Special Hearing & Variance
Petitioner R. William Connolly, Jr.
Location of property SW/S of Winters Lane, 493' NWLY from Edmondson Avenue, 121 Winters Lane
Location of Sign Along front of 121 Winters Lane
Remarks
Posted by A. J. G. Smith Date of return 5-11-90
Number of Signs 2

Baltimore County
Zoning Commissioner
County Office Building
211 West Chesapeake Avenue
Towson, Maryland 21204

Account R-001-6150
Number

receipt
NE 1872

3/26/90 H900330

| PUBLIC HEARING FEES | QTY | PRICE |
|-----------------------------|-----|---------|
| 010 - ZONING VARIANCE (IRL) | 1 X | \$35.00 |
| 030 - SPECIAL HEARING (IRL) | 1 X | \$35.00 |
| TOTAL: | | \$70.00 |

LAST NAME OF OWNER: CONNOLLY

8 8149*****7000: 82761

Check Validation

Please make checks payable to

ORDER RECEIVED FOR FILING
Date 6/1/90
By SSS

ORDER RECEIVED FOR FILING
Date 6/1/90
By SSS

ORDER RECEIVED FOR FILING
Date 6/1/90
By SSS

ORDER RECEIVED FOR FILING
Date 6/1/90
By SSS

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Special Hearing
Case Number: 90-462-SPH
5/5 Winters Lane, 492' Nully from Edmondson Avenue
121 Winters Lane
1st Election District
Petitioner(s): R. William Connolly, Jr.
Hearing Date: Wednesday, May 30, 1990 at 2:00 p.m.
Special Hearing: Recognition and existence of a non-conforming use as two apartments for the property located at 121 Winters Lane. Variance: to allow (1) a lot width of 43 feet at the front building line in lieu of the minimum required 80 feet for a duplex, and (2) 10 foot and 12.5 foot interior side yard setbacks in lieu of the minimum required 15 feet, and (3) the sum of interior setbacks of 22.5 feet in lieu of the minimum required 35 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
CJ5008 May 3.

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 8, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 3, 1990.

THE JEFFERSONIAN,

S. Zafe Orlov
Publisher

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Special Hearing
Case Number: 90-462-SPH
5/5 Winters Lane, 492' Nully from Edmondson Avenue
121 Winters Lane
1st Election District
Petitioner(s): R. William Connolly, Jr.
Hearing Date: Wednesday, May 30, 1990 at 2:00 p.m.
Special Hearing: Recognition and existence of a non-conforming use as two apartments for the property located at 121 Winters Lane. Variance: to allow (1) a lot width of 43 feet at the front building line in lieu of the minimum required 80 feet for a duplex, and (2) 10 foot and 12.5 foot interior side yard setbacks in lieu of the minimum required 15 feet, and (3) the sum of interior setbacks of 22.5 feet in lieu of the minimum required 35 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
CJ5008 May 3.

CERTIFICATE OF PUBLICATION

May 8, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 2, 1990.

CATONSVILLE TIMES

S. Zafe Orlov
Publisher

PO 104508

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

May 15, 1990

William M. Hesson, Esquire
Suite 700, Court Towers
230 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No. 330, Case No. 90-462-SPH
Petitioner: R. William Connolly, Jr.
Petition for Special Hearing

Dear Mr. Hesson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIASKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. R. William Connolly, Jr.
2122 Pine Avenue
Baltimore, MD 21207

Baltimore County
Zoning Commissioner
County Office Building
313 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number No 2622

90-462

M9000863

5/30/90

PUBLIC HEARING FEES DTY PRICE

080 -POSTING SIGNS / ADVERTISING 1 X \$133.79

LAST NAME OF OWNER: CONNOLLY TOTAL: \$133.79

Cashier Validation:

Please make checks payable to: Baltimore County

receipt

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 5/15/90



Dennis F. Rasmussen
County Executive

R. William Connolly, Jr.
2122 Pine Avenue
Baltimore, Maryland 21207

Re: Petition for Special Hearing and Zoning Variance
CASE NUMBER: 90-462-SPH
5/5 Winters Lane, 493' Nully from Edmondson Avenue
121 Winters Lane
1st Election District - 1st Councilmanic
Petitioner(s): R. William Connolly, Jr.
HEARING: WEDNESDAY, MAY 30, 1990 at 2:00 p.m.

Dear Petitioner:

Please be advised that \$133.79 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRHigs

cc: William M. Hesson, Jr., Esq.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: April 19, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: R. William Connolly, Jr., Item No. 330

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

April 16, 1990



Dennis F. Rasmussen
County Executive

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing
CASE NUMBER: 90-462-SPH
5/5 Winters Lane, 493' Nully from Edmondson Avenue
121 Winters Lane
1st Election District - 1st Councilmanic
Petitioner(s): R. William Connolly, Jr.
HEARING: WEDNESDAY, MAY 30, 1990 at 2:00 p.m.

Special Hearing: Recognition and existence of a non-conforming use as two apartments for the property known as 121 Winters Lane. Variance: to allow (1) a lot width of 43 feet at the front building line in lieu of the minimum required 80 feet for a duplex, and (2) 10 foot and 12.5 foot interior side yard setbacks in lieu of the minimum required 15 feet, and (3) the sum of interior setbacks of 22.5 feet in lieu of the minimum required 35 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: R. William Connolly, Jr.
William M. Hesson, Jr., Esq.

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(301) 887-3554



Dennis F. Rasmussen
County Executive

April 6, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 324, 329, 330, 331, 334, 335, 336, 337, 339, 340, 341, and 342.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MEF/lvw

RECEIVED
APR 16 1990
ZONING OFFICE

Paul H. Reincke
Chief

RE: Property Owner: R. WILLIAM CONNOLLY, JR.

Gentlemen:

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

JK/KEK

June 11, 1990

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
SW/S of Winters Lane, 493' NW of Edmondson Avenue
(121 Winters Lane)
1st Election District - 1st Councilmanic District
R. William Connolly, Jr. - Petitioner
Case No. 90-462-SPHA

Dear Mr. Hesson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in part and dismissed in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:b1s

cc: Mr. Franklin Terrell
119 Winters Lane, Baltimore, Md. 21207

Ms. Diane Oliver
121 Winters Lane, Baltimore, Md. 21207

Parole's Counsel

File



Dennis F. Rasmussen
President, American Society of Civil Engineers

NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.*
THOMAS J. FINNEY
WILLIAM P. ENGLHART, JR.
STEPHEN J. NOLAN*
ROBERT E. CAHILL, SR.
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
STEPHEN M. SCHENNING
DOUGLAS L. BURGESS
ROBERT E. CALDWELL, JR.
LOUIS G. CLOSE, III
E. BRUCE JONES*
KERA I. KOSTUN
GREGORY J. JONES

*ALSO ADMITTED IN D. C.
*ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(301) 823-7800
TELEFAX: (301) 296-2765

J. EARLE PLUMHOFF
(1940-1988)
JAMES D. NOLAN
(RETIRED 1980)
OF COUNSEL
RALPH E. DEITZ
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 922-2121
WRITER'S DIRECT DIAL
823 - 7854

June 6, 1990

The Honorable Ann Nastarowicz
Deputy Zoning Commissioner
for Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: R. William Connelly, Jr.
Case No.: 90-462-SPHA

Dear Ms. Nastarowicz:

At the Hearing on the above-captioned matter on May 30, 1990, you requested that the Petitioner supply to you information regarding the zoning on the subject property in 1945 and confirmation that a two(2) apartment dwelling use was allowed under the zoning regulations in effect at that time. In response to your request, I have requested that Mr. Derek Propalis forward a letter to you with the requested information. When this information is received by you, I believe that the request that you made regarding a legal nonconforming use will have been completed.

Should you need any further information, please do not hesitate to contact me.

Sincerely,
Bill

William M. Hesson, Jr

WMHJr/psk

cc: Mr. Derek Propalis
Zoning Inspector
Mr. R. William Connelly, Jr

son, Jr.
RECEIVED
JUN 7 1990

ZONING OFFICE

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

| <u>NAME</u> | <u>ADDRESS</u> |
|---------------------------------|-------------------------------------|
| William M. Hesson, Jr. Atty | 210 W. Kennedy Lane Towson 21204 |
| Diane Oliver Tenant | 138 Winters Lane |
| R. William Connolly Jr. Retired | 2122 Pine Ave 21207 |
| Franklin Terrell. witness | 119 Winters Lane 21207 |

330

90-462-SPHA

NOTES:
 1) 1ST ELECTION DISTRICT
 DISTRICT 1 ST. COUNTY COUNCIL
 DISTRICT
 2) ZONING : DR 5.5

VACANT RESIDENTIAL PROPERTY

MARIA R. S. CLARK
 7197 / 198

HIGHWAY WIDENING AREA

A-556° 16' 30" W, 740'
 B-N03° 43' 10" W, 1138'
 C-R1° 089' 47" W, 1131' 53"
 D-N56° 16' 50" E, 771'
 E-533° 43' 10" E, 422' 90"

53 / 142° E
 2.6 PCHS.
 42.9'

WOODS

WOODS

VICINITY MAP
 SCALE: 1" = 1000'

EDMONDSON AVE.
 (60' R/W)

2 1/2 STORY FRAME DWLG.

2 STORY FRAME DWELLING (DUPLEX)

2 1/2 STORY FRAME DWLG.

EDGE OF ROAD

HIGHWAY WIDENING AREA RW 81'-06.7'-2A

PAVING

WINTERS LANE
 (40' R/W)

REVISED 3-23-90

SPOTS, STEVENS and MCCOY, INC.

CONSULTING ENGINEERS

TOWSON, MARYLAND

2/19/90

STATE

121 WINTERS LANE
 BALTIMORE COUNTY
 MARYLAND

JK R/S
 (C/S)
 7-40

APPROVALS

10000 L-647

SECTION

DRAWING NUMBER

DATE

FILE

RECEIVED
 BALTIMORE COUNTY
 PLANNING DEPARTMENT
 1990